

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Zhivago Robinson

v.

Case No. 18-cv-568-JD

Robert Hazlewood, Warden,
FCI Berlin

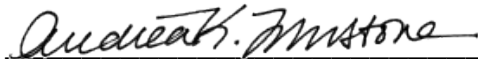
REPORT AND RECOMMENDATION

In a case that has been transferred to this court from the District of Massachusetts, see Doc. No. [4](#), Zhivago Robinson petitions for a writ of habeas corpus (Doc. No. [1](#)), pursuant to [28 U.S.C. § 2241](#). The matter is before this magistrate judge for preliminary review, to determine whether the petition is facially valid and may proceed. See [28 U.S.C. § 2243](#); [LR 4.3\(d\)\(4\)\(A\)](#); Rule 4 of the Rules Governing Section 2254 cases ("§ 2254 Rules"); see also § 2254 Rule 1(b) (explaining that § 2254 Rules may apply to § 2254 petitions).

Robinson originally filed the petition in this case in the District of Massachusetts. Because he was incarcerated in New Hampshire at the time, the District of Massachusetts ordered that the matter be transferred to this court. Prior to the transfer, however, Robinson filed the same petition in this court, which was docketed as 18-cv-287-JL, which the court has

directed be served upon the respondent in an Order issued this date.

Because the petition in this case is identical to the petition in 18-cv-287-JL, the district judge should dismiss this case as duplicative. Any objection to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). The fourteen-day period may be extended upon motion. Failure to file a specific written objection to the Report and Recommendation within the specified time waives the right to appeal the district court's order. See Santos-Santos v. Torres-Centeno, 842 F.3d 163, 168 (1st Cir. 2016).



Andrea K. Johnstone
United States Magistrate Judge

October 26, 2018

cc: Zhivago Robinson, pro se